58579.1

DOCKET NO.: 13579 US

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor of the subject matter, which is claimed and for which a patent is sought on the invention entitled:

Intransal Benzodiazepine Compositions

the specification of which

X is attached hereto

___ was filed as U.S. Application Serial No. _____

on _____

and was amended on _____ (if applicable)

and/or

___ was filed as PCT International Application No. _____

on _____

and was amended on _____ under PCT Article 19 (if applicable),

(the undersigned hereby authorizes its attorney to amend this document to insert the filing date and application serial number when they become known.)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application(s) which designated at least one country other than the United States of America, identified below and have also identified below any foreign application(s) for patent or inventor's certificate, or any PCT International application(s), having a filing date before that of the application(s) on which priority is claimed:

Number	Country (or PCT)	Filing Date (day/month/year)	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Provisional Application No.	Filing Date (day/month/year)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT International application(s) designating the United States of America, that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that is material to patentability, as defined in 37 CFR Section 1.56, that became available between the filing date of the prior application and the national or PCT International filing date of this application:

U.S. or PCT Application No.	Filing Date (day/month/year)	Status (patented, pending or abandoned)
10/418,260	15 April 2003	Pending
09/790,199	20 February 2001	patented

And I hereby appoint the agents and attorneys associated with Customer Number:

23719

my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications that are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to the mailing address associated with Customer Number:

23719

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor:	Daniel P. Wermeling
Citizenship:	United States
Residence Address:	4889 Wyndhurst Road Lexington, KY 40515
Post Office Address:	Same as Above
Date of signature: March 11/2004	Inventor's signature: 